

REMARKS/ARGUMENTS

This Amendment and the following remarks are intended to fully respond to the Final Office Action mailed December 3, 2008. In that Office Action, claims 1-17, 29-52, and 63-69 were indicated as allowable. Claims 18-28, 53, 54, 56-59, and 61 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent Application No. 2002/0069222 to McNeely, hereinafter "McNeely." No claims are being amended herewith. Claims 18-28, 53, 54, 56-59, and 61 are being canceled. No claims are newly added. Reconsideration of the claims, as originally filed and subsequently amended is respectfully requested.

Allowable Subject Matter

The Applicants respectfully acknowledge the allowance of claims 1-17, 29-52, and 63-69. Claims 18-28, 53, 54, 56-59, and 61 are being canceled. Applicants request the issuance of a notice of allowance.

Applicants do not necessarily agree with the rejection of claims 18-28, 53, 54, 56-59, and 61. Nevertheless, these claims have been canceled in order to expedite allowance of subject matter in the present application. These claims are canceled without prejudice. Applicants reserve the right to later pursue the canceled claims in this application or in a subsequently filed continuing application.

Conclusion

This Amendment fully responds to the Final Office Action mailed on December 3, 2008. Still, that Final Office Action may contain arguments and rejections that are not directly addressed by this Amendment because they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicant believes the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

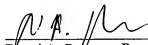
It is believed that no fees, are due with this Amendment. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

Dated: March 2, 2009





Rene' A. Pereyra, Reg. No. 45,800
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
303.357.1637